UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/251,403	02/17/1999	MASAHITO NIIKAWA	013227-049	3197

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EXAMINER
FLETCHER, JAMES A

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 09/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	**Application No.** 09/251,403	**Applicant(s)** NIIKAWA ET AL.
	Examiner James A. Fletcher	**Art Unit** 2615

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 February 1999* .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 February 1999* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *3* .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Specification

1.   The disclosure is objected to because of the following informalities: On page 20,

lines 16 and 17 recite the text "clearing a timer T2 which renews the value when none of

switch is pressed". The examiner believes this refers to the "Delete-Button D" in

decisions Del1 and Del5 and "Delete Image Data and Hist. Data" in decision Del3 of

Figure 7(a), but the actual meaning of this is unclear to the examiner.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-4 are rejected under 35 U.S.C. 102(e) as being unpatentable over

Lamaire et al (6,378,053).

Regarding claims 1 and 4, Lamaire et al disclose a device and method for

processing images on a recording medium comprising:

- an indicator which commands a processing to be executed for the image (Col

  5, lines 43-45 "a cache directory entry [CDE]...for managing a network object

  cache")

- a setter which sets up data in accordance with the processing command by

  the indicator; (Col 5, lines 61-63 "the full network object name is stored in

  CDE field 410, and the type of object...is stored in CDE field 420")

- a deletion directional member which directs to delete the image recorded in

  the image recording medium (Col 5, line 66 - Col 6, line 1 "pointers to the

  CDEs for the most-recently-used object and the least-recently-used object."

  Since this pointer indicates the least-recently-used object, it indicates the next

  object to be replaced by a low-resolution object. See Col 6, lines 26-30 "If

  however in step 520 it was determined that there was insufficient free cache

  memory, control proceeds to step 540. In this step the least-recently-used

  object `y` is found. The space allocated to this object consisting of `Sy` bytes

  is made free. ")

- a compressor which compresses the image based on the data when the

  deletion directional member directs to delete the image (Col 4, lines 2-3 "a

  specific hardware component for reducing the resolution of a network object")

  and

- a recorder which stores the compressed image (Col 4, lines 10-13 "The cache

  manager...uses the information in the cache directory to store...network

  objects in the cache memory.")

Regarding claim 2, Lamaire et al disclose a device wherein the compressor

alters a compression rate of the image based on the data (Col 2, lines 8-9 "dynamically

reducing the resolution of a multiresolution object" and Col 4, lines 37-39 "a lower

resolution version of an object requires less storage space than a higher resolution

version of that object")

Regarding claim 3, Lamaire et al disclose an image processing device wherein

the data is evaluation value for the image (Col 5, line 66 - Col 6, line 1 "pointers to the

CDEs for the most-recently-used object and the least-recently-used object")

4.   Claims 14-18 are rejected under 35 U.S.C. 102(e) as being anticipated by

Takahashi et al (6,348,974).

Regarding claims 14 and 17, Takahashi et al disclose an image processing

method and system for processing images which are recorded in a recording medium,

comprising:

- a transfer circuit and step for transferring images from a first recording medium

  into a second recording medium (Col 1, lines 13-19 "an input image...is

  compressed and stored as image information...and thereafter, this image

  information is expanded and printed [formation of a visual image on a medium]")

- a recorder and step which records data indicating that the image recorded in the

  first recording medium is transferred into the second recording (Col 12, lines 15-

18 "The status indicator 117 indicates a status of the copying machine by

displays of various kinds of pictures and characters while flashing")

- a deletion member and step to direct deletion of the image (Col 21, lines 30-33

"when printing...is completed...the image information of all the pages of the

original is accessed and deleted at one time")

- a detector and step of judging whether the image has been transferred into the

second recording medium based on the data when the deletion member or step

directs to delete the image (Col 21, lines 30-33 "when printing...is

completed...the image information of all the pages of the original is accessed

and deleted at one time"); and

- an indicator and step of indicating the output of the detector (Col 12, lines 15-18

18 "The status indicator 117 indicates a status of the copying machine by

displays of various kinds of pictures and characters while flashing").

Regarding claims 15 and 18, Takahashi et al disclose an image processing

system wherein image data are deleted on the direction of the data from the deletion

directional member (Figure 16, steps S113 and S114 indicate a data deletion step that

only occurs once the third copies have been printed. In order to determine that the third

copies had been printed, it is inherent that a data deletion member based on the

completion of printing be part of the disclosed system.).

Regarding claim 16, Takahashi et al disclose an image processing system

wherein the data is recorded in the first recording medium (Col 1, lines 13-19 "an input

image...is compressed and stored as image information").

5.   Claims 5-13 are rejected under 35 U.S.C. 102(e) as being anticipated by

Johnson (5,924,092).

Regarding claims 5 and 8, Johnson discloses an image processing device

comprising:

- an indicator which commands a processing step to be executed for the image

    data (Col 5, lines 41-42 "If the cache is full, however, "old" data must first be

    removed from the cache..." The full cache is the indicator.)

- a recorder and step of recording which records a time when the indicator

    commands a processing (Col 5, lines 41 "'old' data". In order to determine

    the age of the data, a time of processing of the data is inherently stored.)

- a timer and step of measuring time since the time of processing (Col 5, line

    41 "'old' data". In order to determine the age of the data, a measurement of

    the time since processing of the data is inherently stored.)

- a setter and step of setting up compression rate for the image data (Col 5,

    lines 43-45 "The old data is typically processed by a compression engine to

    recompress the data and store it back in partition 44").

Regarding claim 6, Johnson discloses an image processing device comprising:

- a detector which detects that the indicator gives no command for a

    predetermined time or more based on the output from the timer (Col 5, line 41

    "'old' data". In order to determine if data is "old", a measurement of the time

    since processing of the data, and a threshold for that measurement is

    inherent.)

- a controller which controls so as to increase said compression rate based on the output from the detector data (Col 5, lines 43-45 "The old data is typically processed by a compression engine to recompress the data and store it back in partition 44").

Regarding claims 7 and 9, Johnson discloses an image processing device and step wherein a lower evaluation value for the image data is set when the indicator gives no command for a predetermined time or more, based on the output from the timer (Col 5, line 41 "'old' data". In order to determine if data is "old", a measurement of the time since processing of the data, and a threshold for that measurement is inherent.)

Regarding claims 10 and 12, please see Examiner's remarks regarding claims 5 and 8.

Regarding claims 11 and 13, Johnson reveals an image processing device and processing step wherein the evaluation value is set up in accordance with the command from the indicator (Col 5, lines 43-45 "The old data is typically processed by a compression engine to recompress the data and store it back in partition 44." When old data is indicated, the command causes the data to be recompressed).

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (703) 305-3464. The examiner can normally be reached on 7:45AM - 5:45PM M-Th, Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Christensen can be reached at (703) 308-9644.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, DC 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the Technology Center 2600 Customer Service Office

whose telephone number is (703) 306-0377.

JAF
September 23, 2002

ANDREW CHRISTENSEN
SUPERVISORY PATENT EXAMINER
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